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14 UNITED STATES DISTRICT COURT
15
16 DISTRICT OF NEVADA

17 COLPO CALDO, LLC, a Nevada limited
18 liability company,

19 Plaintiff,

20 v.

21 RONALD TRUNK, et al.,

22 Defendants.

23 3:18-cv-289-LRH-WGC
24 **ORDER GRANTING**
UNITED STATES' MOTION FOR
EXTENSION OF TIME IN WHICH TO
FILE RESPONSE TO COMPLAINT
(First Request)

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26 Defendant United States of America, through its undersigned counsel, moves this Court
27 for an Order extending the time within which it is required to file a responsive pleading to and
28 including August 17, 2018. Counsel for plaintiff does not object to the requested extension of
29 time. The basis for this motion is as follows:

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31 1. This quiet title and judicial foreclosure action was originally filed in the Third
32 Judicial District for the State of Nevada (Lyon County). Among the several defendants named in
33 the Complaint is the United States.
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1 2. It is anticipated that the United States will assert an interest in the subject real
2 property superior to the interest alleged by plaintiff.

3 3. On June 18, 2018, the United States filed its Notice of Removal (#1) removing this
4 action from the State Court to the Federal Court pursuant to 28 USC §§ 1442(a) and 1444.

5 4. Rule 81(c), Federal Rules of Civil Procedure, provides the time period to answer
6 a complaint in a removed action. The time period provided by Rule 81(c) is the later of twenty-
7 one (21) days after service of the complaint or seven (7) days after removal. However, the United
8 States would ordinarily be permitted a sixty (60) day response time, calculated from the date of
9 service of process, pursuant to Rule 12(a)(3), Federal Rules of Civil Procedure.

10 5. At this time, it does not appear that service of process was effected on the United
11 States prior to removal of this action to this Court. United States Department of Agriculture -
12 Office of General Counsel became aware of the State-court action in mid-June 2018.

13 6. The usual sixty-day response time is needed to adequately evaluate the allegations
14 of the complaint, ascertain the United States' interest in the subject real property, and to thereafter
15 prepare a response to the complaint.

16 7. No prior request has been made for the relief requested herein. The undersigned
17 spoke to plaintiff's counsel and was advised he has no objection to the requested extension.

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8. It is requested that the time for the United States to respond to the complaint be extended to sixty days following the date of removal of this action, an extension that would yield a deadline of August 17, 2018, for a response.

Respectfully submitted,

DAYLE ELIESON
United States Attorney

/s/ Greg Addington
GREG ADDINGTON
Assistant United States Attorney

IT IS SO ORDERED.

Date: June 20, 2018.

Walter G. Cobb
UNITED STATES MAGISTRATE JUDGE